

2010 Fisheries Legislation Summary

HB 1345 – Recreational Fishing Licenses – Licensing and Registration – PASSED

HB 1345 would improve existing licensing structure and enable the Department to meet the requirements of the federal Angler Registry. The proposed legislation would 1) establish a free registration for persons fishing aboard a pleasure boat, waterfront property owners and their immediate family fishing from their property and individuals fishing in a free fishing area; 2) change certain non-resident fishing license costs (\$10 for a non-resident trout stamp, \$12 for a 7 day tidal non-resident license, \$22.50 for a non-resident tidal license); 3) increase the length of short term licenses from 5 to 7 days; 4) create a single recreational fishing license for tidal waters of the State, and require Atlantic coastal anglers to purchase a license; 5) correct references to the Chesapeake Bay sport fishing license; and 6) add a Commercial Pier License which will allow individuals to fish for free from a licensed commercial pier which records contact information from anglers. The legislation also extends the sunset provisions for license fees established under Chapter 217 of the 2007 Maryland General Assembly (which are currently set to expire on June 30, 2010). This change is necessary to avoid angler confusion and prevent recreational license fees from changing mid-way through the fishing season. All other license structure and fee changes would take effect on January 1, 2011 in order to comply with new federal angler registry requirements.

SB 1096 Natural Resources – Fishery Management Reform Act – Task Force and Sunset Repeal (First Reading – Hearing 3/30/10, 1pm – No Action) Senate Education, Health, and Environmental Affairs- FAILED

The bill would extend the sunset provisions for license fees established under Chapter 217 of the 2007 Maryland General Assembly (which are currently set to expire on June 30, 2010, through to December 31, 2010). This change is necessary to avoid angler confusion and prevent recreational license fees from changing mid-way through the fishing season. All other license structure and fee changes would take effect on January 1, 2011 in order to comply with new federal angler registry requirements. SB 1096 also repeals the Task Force on Fishery Management because it has completed its assigned work.

HB 98 Department of Natural Resources – Tidal Fish Licenses – Transfer and Suspension – PASSED

The bill, as amended, prohibits a temporary transfer of a tidal fish license to an individual convicted of violating a commercial fishing law during the individual's period of license suspension. The legislation further defines convicted to clarify that the Department may suspend a tidal fish licensee who is convicted, found guilty, or pleads guilty to any state or federal fisheries law. In order to implement the intent of the legislation, House Bill 98 authorizes the Department of Natural Resources, in consultation with the Tidal Fisheries and Sport Fisheries Advisory Commissions, to adopt regulations to suspend and revoke tidal fish licenses for the conviction of a serious state or federal commercial fisheries law.

SB 84 - Tidal Fisheries Advisory Commission - Sport Fisheries Advisory Commission – Membership – PASSED

The bill, as amended, allows for staggered reappointments of membership of the Tidal and Sport Fisheries Advisory Commissions, requires geographic diversity based on the industry's location, and adds three members to the Sport Fisheries Advisory Commission and Tidal Fisheries Advisory Commission.

SB 29 - Department of Natural Resources - Preparation of Fishery Management Plans – Authority – PASSED

The bill, as amended, gives the Department authority to create fishery management plans without the need to annually amend §4-215 to add each species to the list of managed species and would require the

Department to address overfishing when data shows that this is an issue and consult with the Tidal and Sport Fisheries Advisory Commissions.

SB 987 – Natural Resources – Conservation Law Enforcement Act of 2010 – PASSED

The bill, as amended, authorizes the Department of Natural Resources to include recommendations in certain reports and to submit these reports to the Governor and the General Assembly; establishes responsibilities of the Natural Resources Police Force; establishes and provides for a certain commemorative lifetime hunting license; encourages the Department to conduct a study to identify measures which would make the Natural Resources Police more effective; report these findings by Oct. 1, 2011; encourages the Governor to increase public awareness and reliance on the Natural Resources Police Force reserve officers; and provides that the General Assembly encourages the National Fish and Wildlife Foundation to distribute to the Department, for the purposes of conservation law enforcement, any funds the foundation receives from the United States Department of Justice as fines or penalties resulting from federal convictions of game violations in the State.

HB 1158 - Natural Resources – Commercial Finfish – Bycatch (First Reading- Hearing on 3/5/10, 1pm – No Action) House Environmental Matters- **FAILED**

The bill would allow a commercial tidal fish licensee to possess a bycatch of finfish of less than legal size not to exceed 5% of the total number of that species possessed.

HB 89 Environment – Wetlands and Waterways Program Fees – Aquaculture (CROSSFILE SB 3) – PASSED

The bill, as amended, exempts aquaculture activities permitted under 4-11A-02 by the Department of Natural Resources from application fees for wetlands and waterways authorizations issued by the Department of the Environment and requiring the Aquaculture Coordinating Council to report certain information to the Department of Environment on or before October 1, 2013.

HB 218 Natural Resources – Oysters – Dredge Devices – PASSED

The bill, as amended, removes a prohibition on the use of "devil divers" or "devil catchers." This gear weights a dredge so that the gear is more effective in harvesting oysters.

HB 673 - Hunting and Fishing - Veterans - Complimentary Licenses (First Reading – Unfavorable Report) House Environmental Matters- **FAILED**

The bill would require the Department to issue complimentary lifetime hunting and fishing licenses to all veterans.

HB 1561 Natural Resources - Crab Pots – Requirements (First Reading – Unfavorable Report) House Environmental Matters - **FAILED**

The bill would require that new crab pots used for commercial purposes be biodegradable or have a biodegradable escape panel to allow crabs and other marine organisms to escape from the pot if it is lost or abandoned.

SB 37 - Department of Natural Resources - Oysters - Patent Tongs and Power Dredges (First Reading - Hearing on 1/19/10, 1pm – No Action) Senate Education, Health, and Environmental Affairs – **FAILED**

This bill would limit the Department's authority to regulate oyster and clam areas for use of patent tongs and dredges.

SB 808 - County Oyster Committees – Public Shellfish Fishery Area – Power Dredging (CROSSFILE HB 284) (First Reading – Unfavorable Report) Senate Education, Health, and Environmental Affairs- **FAILED**

The bill would require that County Oyster Committees may authorize the use of power dredges an in public shellfish fishery areas within their county waters at times and specific locations as determined by such committees.

SB 809 - Natural Resources – Designation of Oyster Sanctuaries – Prohibition (First Reading – Unfavorable Report) Senate Education, Health, and Environmental Affairs- **FAILED**

The bill removes the Department’s authority through October 1, 2011 to designate new oyster sanctuaries as specified under the existing 2004 Oyster Management Plan created under Natural Resources Article, §4-215.